

REMARKS

Claims 1 to 47 are pending in this application.

Restriction has been required between the following groups of claims:

GROUP I : Claims 1 to 38, drawn to a process for synthesizing a mesoporous aluminum oxide composition, an aluminum oxide composition and a process for adjusting mesopore sizes in aluminum oxides.

GROUPS IIa - IIc: Claims 39 to 47 drawn to processes for treating organic compounds.

Applicants herein elect the claims of Group I (Claims 1-38) for further prosecution on the merits, with traverse.

Traverse

It is respectfully submitted that the claims of Group I (1-38) and those of Group IIa-IIc (39-47) present common features which would necessitate a search encompassing all groups of claims.

For example, Group II independent claim 39, from which claims 40 to 47 depend, include recitations corresponding at least in part to recitations found in various Group I claims as illustrated in the following Table.

Table

<u>Recitations in Group II Claim 39</u>	<u>Group I claims</u>
a) providing a mesoporous aluminum oxide comprising one X-ray diffraction peak where 2θ is between about 0.3° to about 3.5° , wherein mesopores in said composition range from about 1.5 nm to about 20 nm in diameter and the said mesopores randomly interconnected, and have a pore volume ranging from about $0.3 \text{ cm}^3/\text{g}$ to about $2.5 \text{ cm}^3/\text{g}$,	See claim 30: 30. A mesoporous aluminum oxide composition comprising one X-ray diffraction peak where 2θ is between about 0.3° to about 3.5° , wherein mesopores in said composition range from about 1.5 nm to about 20 nm in diameter and the said mesopores randomly interconnected, have a peak width at half height less than about 12 nm in a pore diameter distribution plot and have a pore volume ranging from about 0.3 to about $2.5 \text{ cm}^3/\text{g}$.
wherein the mesoporous structure has optionally incorporated therewith at least about 0.02% by weight of at least one catalytically and/or chemically active heteroatom selected from the group consisting of Si, Ti, V, Cr, Zn, Fe, Sn, Mo, Ga, Ni, Co, In, Zr, Mn, Cu, Mg, Pd, Ru, Pt, W and combinations thereof or zeolites;	See claims 8, 21, and 31: 8. The process of claim 1 wherein the at least one organic aluminum source is mixed with a framework substituted element selected from the group consisting of Si, Ga, B, P, S, La, Ce, Ti, Fe, Ni, Mo, Co, Cr, Mg, Zn, Sn, V, W, Ru, Pt, Pd, In, Mn and Cu. 21. The process of claim 11 wherein the at least one inorganic aluminum source is mixed with a framework substituted element selected from the group consisting of Si, Ga, B, P, S, La, Ce, Ti, Fe, Ni, Mo, Co, Cr, Mg, Zn, Sn, V, W and Cu. 31. The composition of claim 30 wherein the composition includes a framework substituted element selected from the group consisting of Si, Ga, B, P, S, La, Ce, Ti, Fe, Ni, Mo, Co, Cr, Mg, Zn, Sn, V, W and Cu.

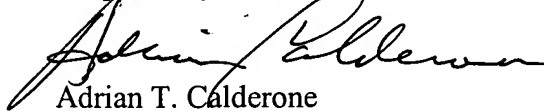
As can be seen from the above, a search conducted for claim 39 would necessarily include the mesoporous material, as would a search for the claims of Group I. Therefore, the commonality of subject matter would require a search encompassing both groups of claims,

posing no undue burden upon the Examiner. Pursuant to MPEP 803, if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent and distinct inventions.

Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Moreover, all of the subgroups (a)-(t) under Group II should be considered under one Group. Claim 39 is common to all of the subgroups, and all of the subgroups deal with the use of the catalyst identified in claim 39 in treating organic compounds. It is respectfully requested that any restriction requirement between the claims of Groups II(a) to II(t) be reconsidered and withdrawn.

Respectfully submitted,



Adrian T. Calderone

Reg. No. 31,746

Attorney for Applicant(s)

DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
Tel: (516) 228-8484
Fax: (516) 228-8516